

## **‘Dual citizen’ soldiers torn between U.S., S. Korean armies**

### **Koreans born in U.S. can still face mandatory service**

**By Teri Weaver and Hwang Hae-rym, Stars and Stripes**  
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YONGSAN GARRISON, South Korea — U.S. and South Korean military officials here are working through an unusual but complicated situation: When a South Korean joins the U.S. military, which country must he serve?

It's not a rhetorical question. Recently, two U.S. soldiers, who had not renounced their South Korean citizenship, found themselves facing mandatory military service in their native country, according to military officials from both nations.

In one case, a U.S. soldier was assigned to a unit in South Korea only to face an enlistment demand from South Korea's Military Manpower Administration. In another, a South Korean in the U.S. Army visited his homeland on vacation; he was reassigned to Yongsan for several months as U.S. and South Korean officials tried to reach a conclusion about where he should serve.

This trouble can be avoided, the soldiers and their commanders have learned, said Hyun S. Kim, an American lawyer working with U.S. Forces Korea at Yongsan Garrison in Seoul.

"Korean law is not unreasonable," Kim said. It gives South Korean immigrants in America "every opportunity" to seek a delay or pardon from military service.

The trick is understanding and applying for those exceptions before returning to South Korea, even wearing a U.S. uniform.

In South Korea, every man must serve at least 24 months in the Republic of Korea military. This obligation holds for all those physically able to serve, from movie stars to laborers, though recently the government exempted the country's national baseball team after a solid run toward the World Baseball Classic title.

Still, a few Korean men between ages 20 and 35 find other ways to avoid serving — such as the messy and misunderstood "dual citizenship," say U.S. and South Korean military officials.

Technically, dual citizenship exists neither in the United States nor in South Korea, Kim said. But the concept is there.

For example, a South Korean mother may give birth within U.S. borders. That child is a U.S. citizen in the eyes of the U.S. government. But he or she also continues to be a South Korean citizen unless that citizenship is renounced, Kim said.

If that citizenship isn't renounced, males will be under obligation to South Korea's military when they turn 20, he said, adding that if such a young man returns to South Korea without the proper permission, he could be caught at immigration and drafted into South Korean service.

And there's a catch: No man may renounce South Korean citizenship without first serving two years in the military, Kim said.

Exceptions exist for South Korean men living abroad, he said. Such a man may renounce his citizenship before age 18. Those 18 and older may seek a delay or exemption and maintain citizenship. Even a delay allows for travel back to South Korea if the visit is six months a year or less.

How these cases might play out in the future remains unclear. South Korean officials have no policy exempting citizens from service even if they're in another nation's military. They have promised to consider each case, Kim said.

For now, U.S. commanders have been asked to avoid sending South Korean citizens in U.S. uniforms to serve within U.S. Forces Korea, he said.

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**From the US Department of State website**  
**[http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1018.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1018.html)**

Note: there is a number to call when asking questions about whether you are acknowledged as a Korean national citizen.

### **Korean Nationality**

Laws establishing one's claim to citizenship can be complex, and differ significantly from country to country. For information on other possible claims of nationality you should direct your queries to the appropriate country's embassy or representatives. This includes instances where your American Citizen child has a Korean parent. The child may have acquired Korean nationality at birth, though the final determination would rest with the Korean authorities. Begin by contacting the Korean government's Department of Nationality of the Immigration Bureau at 02-653-0462 (Korean language only).

The Government of the Republic of Korea does not permit dual citizenship after the age of 21. American citizens of Korean descent who hold dual citizenship under South Korean law and work or study in South Korea are usually compelled by the Republic of Korea to choose one or the other nationality soon after reaching that age.

In addition, South Korean men over the age of 18, including American citizens of Korean descent, are subject to compulsory military service. A dual national may not be allowed to abandon his ROK nationality until he finishes his military service, or has received a special exemption from military service. There have been several instances in which young American men of Korean descent, who were born and lived all of their lives in the United States, arrived in the ROK for a tourist visit only to find themselves drafted into the South Korean army.

Americans of Korean descent may request further information from the nearest South Korean Embassy or Consulate before visiting Korea.

In the U.S., contact the Embassy of the Republic of Korea at 2320 Massachusetts Avenue N.W., Washington, D.C. 20008, telephone (202) 939-5660/63 or online. There are South Korean consulates in Atlanta, Boston, Chicago, Guam, Honolulu, Houston, Miami, New York City, Los Angeles, San Francisco and Seattle.